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Application No. 10/802,830
Amendment dated May 24, 2006
Reply to Office Action of February 28, 2006

- REMARKS/ARGUMENTS -

Claims 1 to 32 are now in the application.

Claims 21 to 31 are withdrawn from further consideration as being drawn to a non-elected invention.

Claims 1 to 6 and 9 to 20 were rejected under 35 U.S.C. 102(b) as being anticipated by Spooner et al. (U.S. Patent No. 5,609,073).

Reconsideration is expected on the following grounds.

As clearly set forth at column 5, lines 1 to 5, and shown in Figure 5 of U.S. Patent No. 5,609,073, the scoops 72 pump oil axially through passageway 73 and radially outwardly through needle bearings 53 to locations radially outboard of flanges 20 and 21. Therefore, the scoops 72 axially and, to some degree, radially outwardly scavenged the oil. This is contrary to the present invention.

Spooner et al.'s scoops 72 are not configured to convert their rotating energy into a pumping force capable of overcoming the centrifugal effect. Furthermore, Spooner et al. clearly lacks any radially inwardly extending passages through which the oil could be pumped towards a central axis of the differential housing 11. Spooner et al.'s scoop and passage arrangement can only provide axial and radially outward lubricant flow through the differential housing.

In view of the foregoing, the claims presently on file are all clearly patentable over Spooner et al.

New independent claim 32 corresponds to the combination of original claims 1, 5 and 7. Claim 7 has already been indicated as allowable by the Examiner.

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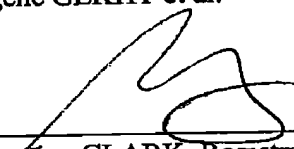
Should there be any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application can be expedited.

Respectfully submitted,

Eugene GEKHT et al.

By:

May 24, 2006
Date


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May 24, 2006
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